

THURSDAY, JANUARY 29, 2004

FIFTY-FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Wilder.

PRAYER

The proceedings were opened with prayer by Dr. Frank Lewis of First Baptist Church in Nashville, Tennessee, a guest of Senator Bryson.

PLEDGE OF ALLEGIANCE

Senator Bryson led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 3094 by Senator Graves.

Lottery -- Requires 501(c)(3) organizations authorized to conduct an annual event in calendar year 2004 to file an accounting with the comptroller of the treasury within 60 days after such event.

Senate Bill No. 3095 by Senator Graves.

Lottery -- Requires 501(c)(3) organizations authorized to conduct an annual event in calendar year 2004 to file an accounting with the secretary of state within 120 days after such event.

Senate Bill No. 3096 by Senator Bryson.

Adoption -- Requires state to recognize foreign adoptions without need for readoption. Amends TCA Title 36, Chapter 1 and Title 68, Chapter 3.

Senate Bill No. 3097 by Senator Cooper.

Alcoholic Beverages -- Allows state residents to import wine directly from out-of-state retailers and manufacturers, with certain restrictions. Amends TCA Section 57-3-402.

Senate Bill No. 3098 by Senator McNally.

Motor Vehicles -- Removes enforcement of the seat belt law as a secondary offense and makes it a primary offense. Amends TCA Section 55-9-603.

Senate Bill No. 3099 by Senator Person.

Education -- Requires school nurses to maintain current certification in CPR and schools to have at least one employee or volunteer who is certified in CPR. Amends TCA Section 49-5-414 and Section 49-3-359.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

Senate Bill No. 3084 referred to Committee on Education.

Senate Bill No. 3085 referred to Committee on Education.

Senate Bill No. 3086 held on desk.

Senate Bill No. 3087 referred to Committee on Education.

Senate Bill No. 3088 referred to Committee on State and Local Government.

Senate Bill No. 3089 referred to Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3090 referred to Committee on Finance, Ways and Means.

Senate Bill No. 3091 referred to Committee on Finance, Ways and Means.

Senate Bill No. 3092 referred to Committee on Finance, Ways and Means.

Senate Bill No. 3093 referred to Committee on Finance, Ways and Means.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 706 by Senator Haynes.

Memorials, Recognition -- Andrew Jackson School, 75th anniversary.

Senate Joint Resolution No. 707 by Senator Haynes.

Memorials, Recognition -- Floyd Shechter.

Senate Joint Resolution No. 708 by Senator Haynes.

Memorials, Professional Achievement -- Dr. Greg Patterson, 2003 National Distinguished Principal.

Senate Joint Resolution No. 709 by Senator Haynes.

Memorials, Recognition -- R. Larry Lovelace.

Senate Joint Resolution No. 711 by Senator Ramsey.
Memorials, Professional Achievement -- Dr. John B. O'Dell, 2003-04 Tennessee Superintendent of the Year.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 700 -- Memorials, Death -- Jack D. Tapp.

The Speaker announced that he had referred Senate Joint Resolution No. 700 to Committee on Calendar.

Senate Joint Resolution No. 701 -- Memorials, Retirement -- Reverend Herbert H. Wright.

The Speaker announced that he had referred Senate Joint Resolution No. 701 to Committee on Calendar.

Senate Joint Resolution No. 702 -- Constitutional Amendments -- Proposes amendments to provide for popular election of the office of secretary of state, the office of attorney general and reporter, the office of state treasurer, and the office of state comptroller of the treasury.

The Speaker announced that he had referred Senate Joint Resolution No. 702 to Committee on Judiciary.

Senate Joint Resolution No. 703 -- Memorials, Sports -- Boyd-Buchanan High School, 2003 TSSAA Class A Football State Championship.

The Speaker announced that he had referred Senate Joint Resolution No. 703 to Committee on Calendar.

Senate Joint Resolution No. 704 -- Memorials, Recognition -- Larry Davis, 2003 South Lawrence Citizen of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 704 to Committee on Calendar.

House Joint Resolution No. 793 -- Memorials, Congratulations -- Reyena Brown, First Place, Reading Rainbow's Young Writers and Illustrators contest.

The Speaker announced that he had referred House Joint Resolution No. 793 to Committee on Calendar.

House Joint Resolution No. 794 -- Memorials, Personal Occasion -- Florence Sloan, 100th birthday.

The Speaker announced that he had referred House Joint Resolution No. 794 to Committee on Calendar.

House Joint Resolution No. 795 -- Memorials, Death -- SFC Gregory Hicks.

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The Speaker announced that he had referred House Joint Resolution No. 795 to Committee on Calendar.

House Joint Resolution No. 796 -- Memorials, Congratulations -- First National Bank of LaFollette, 100th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 796 to Committee on Calendar.

House Joint Resolution No. 798 -- Memorials, Death -- Staff Sgt. Joseph P. Bellavia.

The Speaker announced that he had referred House Joint Resolution No. 798 to Committee on Calendar.

CONSENT CALENDAR

Senate Resolution No. 110 -- Juvenile Offenders -- Urges Congress to maintain funding for Juvenile Accountability Block Grant.

Senator Crowe moved that **Senate Resolution No. 110** be adopted, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

MOTION

Senator Crutchfield moved that the Proposed Schedule, as amended, for the week of February 2, 2004, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
103rd GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
FOR THE WEEK OF FEBRUARY 2, 2004**

MONDAY – February 2

5:00 p.m.	Session – Senate Chamber
5:45 p.m.	Joint Session – House Chamber
	Governor's Budget Address

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TUESDAY – February 3

8:30 a.m. – 10:30 a.m.	Finance, Ways & Means Committee
10:30 a.m. – 12:30 p.m.	State & Local Government Committee
12:30 p.m. – 1:30 p.m.	Lunch
1:30 p.m. – 3:30 p.m.	Commerce, Labor & Agriculture Committee
3:30 p.m. – 5:30 p.m.	Judiciary Committee

WEDNESDAY – February 4

8:30 a.m. – 9:30 a.m.	Education Committee
9:30 a.m. – 10:30 a.m.	General Welfare, Health & Human Resources
10:30 a.m. – 11:30 a.m.	Environment, Conservation & Tourism Committee
11:30 a.m. – 12:30 p.m.	Lunch
12:30 p.m. – 1:30 p.m.	Transportation Committee
1:30 p.m. – 2:30 p.m.	Government Operations Committee
3:00 p.m.	Session – Senate Chamber

THURSDAY – February 5

9:00 a.m.	Session – Senate Chamber
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OTHER MEETINGS:

Monday, February 2, 2004 –	Fiscal Review Committee 2:30 p.m. – Room 16 LP
Tuesday, February 3, 2004 –	Commerce, Labor & Agriculture Pre-Meeting 7:30 a.m. – Room 303 War Memorial Building
Wednesday, February 4, 2004 –	Workers' Compensation Committee Immediately after Senate Session – Room 12/14 LP
Thursday, February 5, 2004 –	Final Cut-off for General Bill Filing
Thursday, February 5, 2004 –	Identity Theft Subcommittee Immediately following Senate Session

MOTION

On motion of Senator Henry, his name was added as sponsor of **Senate Bill No. 2610**.

On motion of Senator Kilby, his name was added as sponsor of **Senate Bills Nos. 2081, 2112 and 2600**.

MESSAGE FROM THE HOUSE

January 29, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 817 and 820; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

January 29, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 688, 689, 691, 692, 696, 705 and 710; concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

January 29, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bill No. 2011, and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENROLLED BILLS

January 29, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 110 and 113; and Senate Joint Resolutions Nos. 673, 674, 675, 676, 677, 678, 679, 680, 681, 688, 689, 691, 692, 696, 705 and 710; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

January 29, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 768, 771, 772, 775, 777, 778, 779, 781 and 783; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

January 29, 2004

The Speaker announced that he had signed the following: Senate Bill No. 2011.

SIGNED

January 29, 2004

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 768, 771, 772, 775, 777, 778, 779, 781 and 783.

SIGNED

January 29, 2004

The Speaker announced that he had signed the following: Senate Resolutions Nos. 110 and 113; and Senate Joint Resolutions Nos. 673, 674, 675, 676, 677, 678, 679, 680, 681, 688, 689, 691, 692, 696, 705 and 710.

MESSAGE FROM THE HOUSE

January 29, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2011, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

January 29, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 673, 674, 675, 676, 677, 678, 679, 680, 681, 688, 689, 691, 692, 696, 705 and 710; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

January 29, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bill No. 2011; and Senate Joint Resolutions Nos. 673, 674, 675, 676, 677, 678, 679, 680, 681, 688, 689, 691, 692, 696, 705 and 710; for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

January 29, 2004

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 658, 659, 662, 663, 664, 665, 666 and 667; with his approval.

ROBERT E. COOPER, JR.,
Counsel to the Governor.

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**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, February 2, 2004: House Joint Resolutions Nos. 784, 785, 786, 793, 794, 795, 796 and 798; and Senate Joint Resolutions Nos. 700, 701, 703 and 704.

This the 29th day of January, 2004.
CROWE, Chairperson.

ADJOURNMENT

Senator Crutchfield moved the Senate adjourn until 5:00 p.m., Monday, February 2, 2004, which motion prevailed.